

THE CITY COUNCIL

OFFICIAL PROCEEDINGS

REGULAR MEETING

Quincy, Illinois, October 24, 2011

The regular meeting of the City Council was held this day at 7:30 p.m. with Mayor John A. Spring presiding.

The following members were physically present:

Ald. Mann, Duesterhaus, Bauer, Moore, Havermale, Farha, Sassen, Rein, Lepper, Musolino, Brink, Heinecke, Holtschlag.

13.

Absent: Ald. Goehl. 1.

Ald. Mann moved Alderman Goehl be excused from this meeting. Motion carried.

MINUTES AMENDED

Ald. Duesterhaus moved the previous minutes be amended in the first petition from Miller Construction that the Aldermen that moved, Ald. Duesterhaus, be stricken and Ald. Farha inserted, seconded by Ald. Sassen. Motion carried.

The minutes of the regular meeting of the City Council held October 17, 2011 were approved, as amended, on a motion of Ald. Duesterhaus. Motion carried.

The City Clerk presented and read the following:

PETITIONS

A revocable permit application for encroachment of City right-of-way by Gardner Denver Inc. requesting permission to place two Key Pad Entry Access pedestals on the west side of the Gardner Denver facility located at 1800 Gardner Expressway Dr to allow for truck access. The City Engineer presents this request subject to two conditions.

Ald. Musolino moved the prayer of the petition be granted. Motion carried.

By Curtis Creek Retirement-Outward Bound Veterans requesting permission to conduct a raffle and have the bond requirement waived from now through 11/30/11. The City Clerk recommends approval of the permit

Ald. Holtschlag moved the prayer of the petition be granted. Motion carried.

REPORT OF THE QUINCY PLAN COMMISSION

The report recommending the approval of the one-lot subdivision (dividing one lot into two) of property the located in the 2400 block of Van Buren St. as requested under the "small tracts" provision of the subdivision ordinance was tabled for one week by Ald. Rein.

Ald. Rein moved the report be received and concurred in. Motion carried.

SALES TAX REPORT

The report of the Illinois Department of Revenue showing sales tax collected for the month of July, 2011 in the amount of \$724,108.45 was ordered received and filed on a motion of Ald. Duesterhaus. Motion carried.

HOME RULE SALES TAX REPORT

The report of the city's 1-1/2% home rule sales tax collected for the month of July, 2011 in the amount of \$720,462.91 was ordered received and filed on a motion of Ald. Duesterhaus. Motion carried.

RESOLUTION

WHEREAS, the City of Quincy and the Central Services Department have nearly 200 miles of City Streets and numerous City Parking Lots to clean and maintain; and,

WHEREAS, the Central Services Department uses a 2003 Elgin Street Sweeper for this task; and,

WHEREAS, this equipment has experienced faulty and failing hydraulic wheel motors and a hydraulic pump that need to be rebuilt and replaced; and,

WHEREAS, the Central Services Department received the following estimate for this repair and replacement:

Key Equipment & Supply Company, Elgin, IL \$10,000.00

WHEREAS, Key Equipment & Supply Company is the single source supplier for this equipment and is qualified and available to do this repair work; and,

WHEREAS, funds have been appropriated in the current Fiscal Year Budget for this type of work.

NOW, THEREFORE BE IT RESOLVED, the Interim Director of Central Services and the Director of Purchasing recommend to the Mayor and City Council that the normal bidding requirements be waived and that this repair/replacement task be awarded to the single source supplier, Key Equipment & Supply Company of Elgin, IL and that their estimate in the amount of \$10,000.00 be accepted.

Ann M. Scott
Director of Purchasing
Jeffrey H. Steinkamp, P.E.
Interim Director of Central Services

Ald. Sassen moved for the adoption of the resolution, seconded by Ald. Farha, and on the roll call each of the 13 Aldermen voted yea, with 1 absent. Motion carried.

RESOLUTION

WHEREAS, in March of 2000 the City of Quincy agreed to lease for a period of forty years approximately 26,000 square feet of ground space at its airport to Quincy Airport Hangar, LLC, which company agreed to construct a 10,000 square foot hangar thereon; and

WHEREAS, Quincy Airport Hangar, LLC constructed the hangar and has been leasing the ground space pursuant to the lease for over eleven years, and now it no longer has any need for the hangar, desires to terminate the ground lease and sell the hangar to the City for \$210,000; and

WHEREAS, the City's administration recommends the City's acquisition of the hangar and proposes that upon such acquisition to lease same to Hyannis Air Service, Inc., d/b/a Cape Air, which hangar rent would be used to offset the hangar purchase.

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL that the City is authorized to terminate the ground lease with Quincy Airport Hangar, LLC and to purchase its hangar for \$210,000.

Gary Sparks
Director of Administrative Services
Marty Stegeman
Director of Airport

Ald. Duesterhaus moved for the adoption of the resolution, seconded by Ald. Heinecke, and on the roll call each of the 13 Aldermen voted yea, with 1 absent. Motion carried.

RESOLUTION

WHEREAS, it is the intent and purpose of the City of Quincy to ensure the efficient, fair and professional administration of federal grant funds in compliance with 24 CFR; Part 85 (85.36(b.)(3)) and other applicable federal and state standards, regulations, and laws; and

WHEREAS, this Resolution of Code of Conduct applies to all officers, employees or agents of the City of Quincy engaged in the award or administration of contracts supported by federal grant funds; and

WHEREAS, no officer, employee or agent of City of Quincy shall participate in the selection, award or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved, such as the employee, officer, or agent; any member of his/her immediate family; his/her partner; or an organization which employs, or is about to employ any of the above has a financial or other interest in the firm selected for award; and

WHEREAS, City of Quincy officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or subcontractors; and

WHEREAS, To the extent permitted by federal, state, or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against City of Quincy officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents.

NOW, THEREFORE, BE IT RESOLVED that City Council and the Mayor adopt this Code of Conduct Resolution specifically pertaining to IKE Grant funding only.

This Resolution shall be in full force and effect from and after its passage, as provided by law.

Passed and approved this 25th day of October, 2011.

Ayes: 13 Nays: 0 Absent: 1

City of Quincy, an Illinois Municipal Corporation

By: John Spring, Its Mayor

ATTEST:

Jenny Hayden, Its City Clerk

Ald. Bauer moved for the adoption of the resolution, seconded by Ald. Duesterhaus, and on the roll call each of the 13 Aldermen voted yea, with 1 absent. Motion carried.

RESOLUTION

WHEREAS, the intent and purpose of the City of Quincy is to ensure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition; and

WHEREAS, this policy shall apply to the procurement of all supplies, equipment, construction, and services of and for City of Quincy related to the implementation and administration of the CDBG IKE Disaster Grant Award, in accordance with 24 CFR; Part 85.36; and

WHEREAS, procurement pertaining to the IKE Disaster Grant shall be made by either small purchase procedures; sealed bids (formal advertising); competitive proposals or noncompetitive proposals; and

WHEREAS, in order for formal advertising to be feasible, appropriate conditions must be present, including, at a minimum, a complete, adequate and realistic specification or purchase description is available, two or more responsible bidders are willing and able to compete effectively for City of Quincy business; and the procurement lends itself to a firm-fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price; and

WHEREAS, when sealed bids are used for a procurement under a grant, the following requirements SHALL apply, sufficient time prior to the date set for opening of bids, bids shall be solicited (publicly advertised) from an adequate number of known suppliers; the invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids, all bids shall be opened publicly at the time and place stated in the invitation for bids; a firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of City of Quincy indicates that such discounts are generally taken; any or all bids may be rejected if there are sound documented business reasons in the best interest of the program; and

WHEREAS, procurement by competitive proposals is normally conducted with more than one source submitting an offer, at either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If the competitive proposals method is used for a procurement under a grant, the following requirements apply; all Requests for Proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be honored to the maximum extent practical; Requests for Proposals shall be solicited from an adequate number of qualified sources; the City of Quincy shall have a method for conducting evaluations of the proposals received and for selecting awardees; and

WHEREAS, awards will be made to the responsible offeror whose proposal will be most advantageous to the procuring party, with price (other than architectural/engineering) and other factors considered. Unsuccessful offerors will be promptly notified in writing; and

WHEREAS, the City of Quincy may use competitive proposal procedures for qualification-based procurement of architectural/engineering (A/E) professional services whereby competitor's qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the procurement of A/E professional services. It can not be used to procure other types of services (e.g., administration professional services) even though A/E firms are a potential source to perform the proposed effort; and

WHEREAS, non-competitive proposals are procurements through solicitation of a proposal from only one source, or after solicitation from a number of sources, competition is determined inadequate. Noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids (formal advertising), or competitive proposals. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to the following, the item is available from only a single source; after solicitation of a number of sources, competition is determined inadequate; public exigency or emergency exists when the urgency for the requirement will not permit a delay incident to competitive solicitation; and the Department of Commerce and Economic Opportunity (DCEO) authorizes noncompetitive proposals. Sole source procurement for supplies, equipment, construction, and services valued at \$25,000 or more must have prior approval of DCEO; and

WHEREAS, the City of Quincy will provide, to the greatest extent possible, that contracts be awarded to qualified small

and minority firms, women business enterprises, and labor surplus area firms whenever they are potential sources; and

WHEREAS, any other method of procurement must have prior approval of the DCEO; and the cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used, the City of Quincy shall perform some form of cost/price analysis for every procurement action, including modifications, amendments or change orders; and

WHEREAS, the City of Quincy shall maintain records sufficient to detail the significant history of procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

NOW, THEREFORE, BE IT RESOLVED that the City Council and Mayor adopt this Procurement Policy Resolution specifically pertaining to IKE Grant funding only.

This Resolution shall be in full force and effect from and after its passage, as provided by law.

Passed and approved this 25th day of October, 2011.

Ayes: 13 Nays: 0 Absent: 1

City of Quincy, an Illinois Municipal Corporation

By: John Spring, Its Mayor

ATTEST:

Jenny Hayden, Its City Clerk

Ald. Bauer moved for the adoption of the resolution, seconded by Ald. Duesterhaus, and on the roll call each of the 13 Aldermen voted yea, with 1 absent. Motion carried.

RESOLUTION

WHEREAS, City of Quincy has received federal funding through the Community Development Block Grant (CDBG) program; and,

WHEREAS, Section 519 of the Department of Veteran Affairs and U.S. Department of Housing and Urban Development, and Independent Agencies Appropriations Act of 1990 requires that all CDBG recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the recipient's Recipient against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, all recipients of CDBG funds are further required to follow a policy of enforcing applicable state and local laws against physically barring entrances or exits to a facility that is the subject of a nonviolent protest demonstration; and

WHEREAS, City of Quincy endorses a policy prohibiting the use of excessive force and will inform all law enforcement agencies within its Recipient of this policy,

NOW, THEREFORE, BE IT RESOLVED, City of Quincy hereby prohibits any law enforcement agency operating within its Recipient from using excessive force against any individuals engaged in nonviolent civil rights demonstrations. In addition, the City of Quincy agrees to enforce any applicable state or local laws against physically barring entrances or exits from a facility or location that is the subject of a non-violent protest demonstration. The City of Quincy further pledges enforcement of this policy within its Recipient and encourages any individual or group who feels that the City of Quincy has not complied with this policy to file a complaint.

Information and assistance relative to excessive force complaints shall be provided by the Quincy Board of Fire of Police Commission at 217-228-4545.

This Resolution shall be in full force and effect from and after its passage, as provided by law.

Passed and approved this 25th day of October, 2011.

Ayes: 13 Nays: 0 Absent: 1

City of Quincy, an Illinois Municipal Corporation

By: John Spring, Its Mayor

ATTEST:

Jenny Hayden, Its City Clerk

Ald. Bauer moved for the adoption of the resolution, seconded by Ald. Duesterhaus, and on the roll call each of the 13 Aldermen voted yea, with 1 absent. Motion carried.

ORDINANCE

Reading of an ordinance entitled: An Ordinance Amending The 2011-2012 Fiscal Year Budget. (Sewer fund #502 Professional Services-Engineering/Architectural increase- \$25,000)

Ald. Bauer moved the ordinance be read by its title, seconded by Ald. Brink with Ald. Rein saying no for the record. Motion carried.

The City Clerk read the ordinance by its title.

Ald. Bauer moved the requirements of Section 2.207 of the City Code of the City of Quincy be waived and the ordinance adopted, seconded by Ald. Brink, and on the roll call the following vote resulted: Yeas: Ald. Mann, Duesterhaus, Bauer, Moore, Havermale, Farha, Sassen, Lepper, Musolino, Brink, Heinecke, Holtschlag. 12. Nay: Ald. Rein. 1. Absent: Ald. Goehl. 1.

The Chair, Mayor John A. Spring, declared the motion carried and the ordinance adopted.

ORDINANCE

Reading of an ordinance entitled: An Ordinance Amending Article V (Parking Rules) Of Chapter 20 (Traffic And Vehicles) Of The Municipal Code Of The City Of Quincy Of 1980. (Adds ““No Parking” on the south side of Spring St. beginning at 12th St. and extending east a distance of 175 ft.)

Ald. Holtschlag moved the ordinance be read by its title, seconded by Ald. Havermale. Motion carried.

The City Clerk read the ordinance by its title.

ORDINANCE

Reading of an ordinance entitled: An Ordinance Granting Variation From Zoning Regulations. (two tracts on south side of 2400 Block of Van Buren, decrease front yard setback from 30’ to 13’; decrease rear yard setback from 30’ to 20’)

Ald. Lepper moved the ordinance be read by its title, seconded by Ald. Rein. Motion carried.

The City Clerk read the ordinance by its title.

Ald. Lepper moved the requirements of Section 2.207 of the City Code of the City of Quincy be waived and the ordinance adopted, seconded by Ald. Rein, and on the roll call each of the 13 Aldermen voted yea, with 1 absent.

The Chair, Mayor John A. Spring, declared the motion carried and the ordinance adopted.

ORDINANCE

Reading of an ordinance entitled: An Ordinance Amending Chapter 23 (Building, Construction And Development Regulations) Of The Municipal Code Of The City of Quincy (1980). (Adds: Article XI (Unsafe Property)

Ald. Havermale moved the ordinance be read by its title, seconded by Ald. Moore. Motion carried.

The City Clerk read the ordinance by its title.

Ald. Havermale moved the requirements of Section 2.207 of the City Code of the City of Quincy be waived and the ordinance adopted, seconded by Ald. Musolino and on the roll call the following vote resulted: Yeas: Ald. Mann, Bauer, Moore, Havermale, Farha, Sassen, Lepper, Musolino, Brink, Holtschlag. 10. Nays: Ald. Duesterhaus, Rein, Heinecke. 3. Absent: Ald. Goehl. 1.

The Chair, Mayor John A. Spring, declared the motion carried and the ordinance adopted.

ORDINANCE

Reading of an ordinance entitled: An Ordinance Amending Chapter 30 (miscellaneous Regulations) Of The Municipal Code Of The City of Quincy (1980). (Adds: Article XII Equal Employment Policy)

Request to Speak

Written request to speak under suspended rules by Liza Hayashi, 166 N. 18th, on behalf of the Human Rights Commission regarding the Equal Employment Policy Ordinance.

Rules Suspended

Ald. Havermale moved the rules be suspended at this time to hear from Liza Hayashi. Motion carried.

Liza Hayashi, 166 N. 18th, Chair of the Human Rights Commission, stated this ordinance complies with Community Development Block Grant requirements and could open up for more grants. Hayashi thank all who worked on this over the years and then answered questions from the Aldermen.

Ald. Havermale moved the rules be resumed. Motion carried.

Ald. Havermale moved the ordinance be read by its title, seconded by Ald. Duesterhaus. Motion carried.

The City Clerk read the ordinance by its title.

Ald. Brink moved the requirements of Section 2.207 of the City Code of the City of Quincy be waived and the ordinance adopted, seconded by Ald. Havermale, and on the roll call each of the 14 Aldermen voted yea, with 1 absent.

The Chair, Mayor John A. Spring, declared the motion carried and the ordinance adopted.

ORDINANCE

Reading of an ordinance entitled: An Ordinance Amending Article I (Miscellaneous Offenses) Of Chapter 31 (Public Peace, Morals And Welfare) Of The Municipal Code Of The City Of Quincy Of 1980. (Truancy prohibited)

Request to Speak

Written request to speak under suspended rules by Debbie Niederhauser, Regional Superintendent of Schools, 507 Vermont, regarding the Truancy Ordinance.

Rules Suspended

Ald. Havermale moved the rules be suspended at this time to hear from Debbie Niederhauser. Motion carried.

Debbie Niederhauser, Regional Superintendent of Schools, 2701 Cheswick Road, stated she has been an educator for over 30 years. The Truancy definition has changed from 10% to 5%. This means from 18 days to 9 days. They want to be consistent between the City of Quincy and Adams County. Niederhauser stated the city ordinance does not have the ability to charge parents. She asks the council to be proactive. The kids that are drop outs show 98% had Truancy issues. Niederhauser then answered questions from the Aldermen.

Ald. Havermale moved the rules be resumed. Motion carried.

Ald. Rein moved to amend Subsection 6 to change the word “minimum” to “maximum” for a first offense of \$75.00 and the word “minimum” to “maximum” for a subsequent offense fine of \$150.00, seconded by Ald. Sassen, and on roll call the following vote resulted: Yeas: Ald. Bauer, Moore, Farha, Sassen, Rein, Lepper, Holtschlag. 7. Nays: Ald. Mann, Duesterhaus, Havermale, Musolino, Brink, Heinecke. 6. Absent: Ald. Goehl. 1. Motion carried.

Ald. Brink moved the ordinance be read by its title, seconded by Ald. Havermale, as amended. Motion carried.

The City Clerk read the ordinance by its title, as amended.

Ald. Brink moved the requirements of Section 2.207 of the City Code of the City of Quincy be waived and the ordinance adopted, as amended, seconded by Ald. Heinecke.

Ald. Havermale called for a roll call vote on the motion to waive Section 2.207 and the following vote resulted: Yeas: Ald. Havermale, Musolino, Brink, Heinecke. 4. Nays: Ald. Mann, Duesterhaus, Bauer, Moore, Farha, Sassen, Rein, Lepper, Holtschlag. 9. Absent: Ald. Goehl. Motion failed.

REPORT OF FINANCE COMMITTEE

Quincy, Illinois, October 24, 2011

	Transfers	Expenditures	Payroll 10/28/11
City Hall		526.06	42,398.27
Planning & Dev	1,000.00		
Transit LOAN	46,000.00		
Airport	10,000.00		
Reg Trng Facility	51,000.00		
Building Maintenance		2,197.90	
Legal Department		128.52	8,009.24
Fire and Police Comm.		2,233.16	572.02
IT Department		239.51	12,242.81
Police Department		7,574.14	228,589.12
Fire Department		7,180.79	150,847.87
Engineering		265.79	20,288.37
Eng-Landfill		380.24	
Eng-Street Lights & Signs ..		26,731.87	
Tax Distribution		75,804.75	
GENERAL FUND SUBTOTAL	108,000.00	123,262.73	462,947.70
Planning and Devel		928.10	21,962.67
911 System		1,263.11	34,406.33
911 Surcharge Fund		5,906.84	
Traffic Signal Fund		12.22	
Crime Lab Fund		155.96	
Transit Fund		558.31	30,809.52
Capital Projects Fund		10,457.14	
Special Capital Funds		532.03	
Water Fund			
Utilities Dept		55,013.87	25,357.22

Central Services		396.97	15,812.21
Sewer Fund			
Central Services		6,120.79	9,362.69
Utilities Dept		89,659.41	7,500.83
Quincy Regional Airport Fund		6,708.03	8,689.41
Municipal Dock			1,077.86
Regional Training Facility		50,000.00	
Central Garage		68,494.59	9,861.82
Central Services Fund		17,462.20	22,421.62
Self Insurance		9,869.57	7,092.76
Health Insurance Fund		276.08	
Learn Not To Burn Fund.....		680.95	
Lincoln Bicentennial Comm		81.56	
BANK 01 TOTALS	108,000.00	447,840.46	657,302.64
Motor Fuel Tax		1,007.95	
IHDA Grant Fund		15,230.00	
2009 G/O Hydro Proj Fund		3,500.00	
2009C G/O Library Proj Fund		54,843.01	
ALL FUND TOTALS	108,000.00	522,421.42	657,302.64

Steve Duesterhaus
Paul Havermale
Anthony E. Sassen
Jack Holtschlag
Finance Committee

Ald. Duesterhaus, seconded by Ald. Sassen, moved the reports be received and vouchers be issued for the various amounts and on the roll call each of the 13 Aldermen voted yea, with 1 absent. Motion carried.

MOTIONS

Ald. Mann referred to the Traffic Commission that “School Speed Zone” areas be established on the north, south and east sides of Washington School. Motion carried.

Ald. Mann moved the request by Green Smart of Quincy for encroachment of city right-of-way to block the sidewalk around property located at 409-433 Broadway during the demolition of buildings located on this property be approved subject to the following conditions: 1) Proper signage must be used while the sidewalk is blocked; 2) Proper traffic control must be implemented if required; 3) The work site must remain safe and clean; 4) Petitioner will be responsible for any damages to city infrastructure; and 5) All pertinent and proper city permits must be obtained from the Planning and Development Department before proceeding. Motion carried.

Ald. Bauer moved to allow a dumpster on city right-of-way at 1640 Sycamore sitting on 17th Street side starting today for two weeks. Motion carried.

Ald. Brink moved to close 9th Street from Van Buren to one half block north from 4:00 p.m. to 11:00 p.m. on Friday, October 28th for the football playoff game. Motion carried.

The City Council adjourned at 8:50 p.m. on a motion of Ald. Havermale. Motion carried.

JENNY HAYDEN, CMC
City Clerk